

Message Text

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ACTION L-03

INFO OCT-01 EUR-25 ISO-00 PM-07 SS-20 H-03 CIAE-00 INR-11

NSAE-00 RSC-01 DODE-00 DRC-01 ACDA-19 AID-20 IGA-02

PRS-01 CU-05 NSC-07 SP-03 /129 W

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R 181408Z JUL 74

FM AMEMBASSY ANKARA

TO SECSTATE WASHDC 5135

INFO USCINCEUR

C O N F I D E N T I A L ANKARA 5669

E.O. 11652: GDS

TAGS: MASS, XX

SUBJ: NEW MAP ELIGIBILITY REQUIREMENT

REF STATE 94271

SUMMARY: MFA IS IREPARED COMPLETE INTERNAL PROCEDURES PREPARATORY TO EXCHANGE OF NOTES IN PURSUIT SECTION 505(F) FOREIGN ASSISTANCE ACT. THEY WISH INCLUDE SEVERAL SPECIFIC POINTS IN THEIR NOTE AND HAVE CONSULTED US ON ACCEPTABILITY TO US. QUESTION OF DATE OF EXCHANGE OF NOTES ALSO ARISES. DEPT'S INSTRUCTIONS REQUESTED. END SUMMARY.

1. WE WERE CALLED TO MFA JULY 17 BY TANER BAYTOK (ACTING FOR MUANMER AKCER, ASST DIRGEN ISA). PURPOSE WAS TO DISCUSS REQUIREMENT OF SECTION 505(F) OF FOREIGN ASSISTANCE ACT OF 1973, IN CONNECTION WITH WHICH WE HAD EARLIER SUPPLIED MODEL TEXT FOR EXCHANGE OF NOTES PER PARA 6 REFTTEL.

2. IN PREPARATION FOR SUBMISSION OF PROPOSED EXCHANGE OF NOTES TO COUNCIL OF MINISTERS FOR APPROVAL, BAYTOK WANTED TO KNOW WHETHER US WOULD HAVE ANY PROBLEMS WITH FOLLOWING:

(A) IN REPLY TO US NOTE, TURKISH NOTE WILL STIPULATE THAT PAYMENT IS TO BE MADE IN TURKISH LIRA (BAYTOK RECOGNIZED CONFIDENTIAL

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THAT THIS WAS ALREADY IMPLICIT IN TEXT OF US NOTE);

B) BAYTOK NOTED THAT NEW AGREEMENT DEVIATED FROM TEXT OF 1959 AGREEMENT (PRESUMABLY AGREEMENT OF OCT 6, 1959 ON SALE OF EXCESS AND/OR SCRAP BY US IN TURKEY, IN THAT PROPOSAL AGREEMENT ADDED QUOTE INTERNATIONAL EDUCATIONAL AND CULTURAL EXCHANGE ACTIVITIES UNQUOTE TO DESCRIPTION OF ACTIVITIES ELIGIBLE FOR EXPENDITURE OF FUNDS. HE NOTED THAT ADDED LANGUAGE HAD ALREADY APPEARED IN OTHER AGREEMENTS, BUT THAT THESE HAD ALSO STIPULATED MUTUAL AGREEMENT ON INTERNATIONAL EDUCATIONAL AND CULTURAL PROJECTS TO BE FUNDED. TURKISH RESPONSE TO PROPOSED US NOTE WOULD INCORPORATE LATTER FEATURE (I.E., MUTUAL AGREEMENT ON PROJECTS).

3. BAYTOK ASKED WHETHER AGREEMENT WOULD APPLY ONLY TO SALES MADE ON OR AFTER JULY 1, 1974. WHEN WE CONFIRMED THIS,

HE THOUGHT IT MIGHT NOT BE NECESSARY FOR TURKS TO INCLUDE THIS IN THEIR REPLY TO OUR NOTE.

4. COMMENT: WE SEE NO DIFFICULTY WITH INCLUSION IN TURKISH REPLY OF POINTS MENTIONED BY BAYTOK, INCLUDING POINT (C) ABOVE. WE NOTE, HOWEVER, THAT INSTRUCTIONS REFTEL WERE SENT WELL BEFORE JULY 1 AND IN EXPECTATION THAT AGREEMENT WOULD HAVE BEEN ACCOMPLISHED BY THAT DATE. OCCURS TO US THAT FOR LEGAL REASONS, DEPARTMENT MIGHT WANT TO HAVE NOTE EXCHANGE DATED OR EFFECTIVE JULY 1, 1974. WE HAVE MENTIONED THIS POSSIBILITY TO BAYTOK. HE COULD NOT SAY WHETHER TURKS WOULD BE ABLE TO BACKDATE THEIR NOTE.

5. REQUEST CONFIRMATION THAT THERE NO OBJECTION TO POINTS IN PARA 2, ABOVE, AND REQUEST GUIDANCE ON DATING OF NOTE EXCHANGE.
MACOMBER

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